

Attorney Docket No. 40026-XA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Carrel W. EWING, et al.

Serial No.: 10/758,117

Filed: January 16, 2004

For: REMOTE POWER CONTROL SYSTEM

TRANSMITTAL LETTER

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 with one hundred and twenty-four (124) references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By: 

Robert C. Ryan
Registration No. 29,343
Marvin C. Berkowitz
Registration No. 47,421
Customer No. 20529

Date: February 5, 2004
NATH & ASSOCIATES PLLC
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Re Application of:
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INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- [X] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- [] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

- [] i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or
- [] ii. a check in the amount required by 37 C.F.R. §1.17(p).
- [] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.
- [] Certification report(e) below; and
- [] a check in the amount as required by §1.17(p).
- [] d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.
- [] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

☒ f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

☐ g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

☒ Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier applications are identified as:

U.S. Application 08/685,436, now U.S. Patent 5,949,974; Ex Parte Re-Exam Application 90/006,097 of U.S. Patent 5,949,974; AND U.S. Application 09/375,471

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

On information and belief, submitted herein on the attached PTO-1449 forms are all of the references brought before the Office for the above-cited applications. In accordance with MPEP §609, Applicant requests the Examiner to review all of the references brought before the Office in all previous applications in which this application relies upon for an earlier effective filing date under 35 U.S.C. §120.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES

By: 

Robert C. Ryan

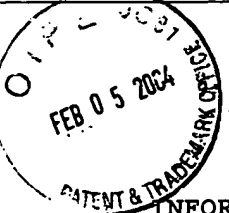
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	FORM PTO-1449	
	INFORMATION DISCLOSURE CITATION	
	Atty Docket 40026-XA	Serial No. 10/758,117
Applicant Carrel W. EWING, et al.		
Filing Date Jan. 16, 2004		Group Art Unit Not Assigned Yet

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	AA	4,051,326	Sep. 27, 1977	BADAGNANI, et al.			Aug. 17, 1976
	AB	4,206,444	Jun. 3, 1980	FERLAN			Jan. 2, 1979
	AC	4,356,545	Oct. 26, 1982	WEST			Aug. 2, 1979
	AD	4,442,319	Apr. 10, 1984	TREIDL			Feb. 26, 1981
	AE	4,611,289	Sep. 9, 1986	COPPOLA			Sep. 29, 1983
	AF	4,647,721	Mar. 3, 1987	BUSAM, et al.			Mar. 19, 1985
	AG	4,701,946	Oct. 20, 1987	OLIVA, et al.			Oct. 23, 1984
	AH	5,198,806	Mar. 30, 1993	LORD			Dec. 31, 1990
	AI	5,319,571	Jun. 7, 1994	LANGER, et al.			Nov. 24, 1992
	AJ	5,410,713	Apr. 25, 1995	WHITE, et al.			Jan. 2, 1992
	AK	5,596,628	Jan. 21, 1997	KLEIN			Apr. 12, 1996
	AL	5,862,391	Jan. 19, 1999	SALAS, et al.			Apr. 3, 1996
	AM	5,506,573	Apr. 9, 1996	EWING, et al.			Jun. 21, 1994

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	AO	PCT/US91/08543	May 27, 1993	WO			YES

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.

FORM PTO-1449

INFORMATION DISCLOSURE CITATIONAtty Docket
40026-XASerial No.
10/758,117Applicant
Carrel W. EWING, et al.Filing Date
Jan. 16, 2004Group Art Unit
Not Yet AssignedOTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AP	AMERICAN POWER CONVERSION, "Call-UPS ^a ", 1991, #996-0070, APC, West Kingston, RI 02892 USA.
AQ	AMERICAN POWER CONVERSION, "Measure-UPS ^a ", March 1993, #996-0127, APC, West Kingston, RI 02892 USA.
AR	AMERICAN POWER CONVERSION, "Introducing the UPS to build your business on...", October 1993, #996-0207-A, APC, West Kingston, RI 02892 USA.
AS	AMERICAN POWER CONVERSION, "Application Note #A2", October 1993, APC, West Kingston, RI 02892 USA.
AT	AMERICAN POWER CONVERSION, "Application Note #A6", October 1993, APC, West Kingston, RI 02892 USA.
AU	AMERICAN POWER CONVERSION, "Internetworking Power Protection", January 1994, # 996-0295, APC, West Kingston, RI 02892 USA.
AV	AMERICAN POWER CONVERSION, "PowerNet ^a SNMP Adapter", January 1994, #996-0126, APC, West Kingston, RI 02892 USA.
AW	AMERICAN POWER CONVERSION, "Solutions '94", February 1994, #996-0131, APC, West Kingston, RI 02892 USA.
AX	AMERICAN POWER CONVERSION, "APC NetShelter", 1995, #996-0643-A, APC, West Kingston, RI 02892 USA.
AY	AMERICAN POWER CONVERSION, "PowerNet", September 1995, #996-0325-b, APC, West Kingston, RI 02892 USA.
AZ	AMERICAN POWER CONVERSION, "APC Smart-UPS RM", 1996, #996-0618-B, APC, West Kingston, RI 02892 USA.
BA	AMERICAN POWER CONVERSION, "APC Smart-UPS XL", 1996, #996-0630-B, APC, West Kingston, RI 02892 USA.
BB	AMERICAN POWER CONVERSION, "Smart-UPS", 1996, #996-0386-E, APC, West Kingston, RI 02892 USA.
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BD	AMERICAN POWER CONVERSION, "Internetworking Power Protection", 1996, #996-0295-B, APC, West Kingston, RI 02892 USA.
BE	AMERICAN POWER CONVERSION, "UPS Accessories", 1996, #996-0411-C, APC, West Kingston, RI 02892 USA.

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BG

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BH

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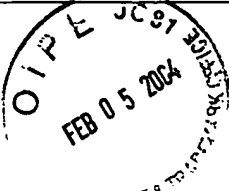
BV

Server Technology, Inc., "MasterSwitch^a", 1996, Server Technology, Inc., Reno, Nevada.

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U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	BW	4,101,878	Sep. 7, 1999	SHIMIZU, et al.			Oct. 4, 1976
	BX	4,495,568	Jan. 22, 1985	GILBERT, et al.			Dec. 23, 1981
	BY	4,709,318	Nov. 24, 1987	GEPHART, et al.			Oct. 22, 1986
	BZ	4,780,714	Oct. 25, 1988	MOUSTAKAS, et al.			Jul. 21, 1986
	CA	4,937,561	Jun. 26, 1990	SASAKI, et al.			Jan. 18, 1989
	CB	5,374,922	Dec. 20, 1994	EBERSOHL			Oct. 14, 1992
	CC	5,412,645	May 2, 1995	YOUNKIN, et al.			Aug. 9, 1991
	CD	5,481,730	Jan. 2, 1996	BROWN, et al.			Jan. 24, 1992
	CE	5,485,576	Jan. 16, 1996	FEE, et al.			Jan. 28, 1994
	CF	5,495,607	Feb. 27, 1996	PISELLO, et al.			Nov. 15, 1993
	CG	5,561,769	Oct. 1, 1996	KUMAR, et al.			Sep. 5, 1995
	CH	5,585,678	Dec. 17, 1996	DIJK, et al.			Apr. 8, 1994
	CI	5,761,084	Jun. 2, 1998	EDWARDS			Jul. 31, 1996
	CJ	5,781,434	Jul. 14, 1998	TOBITA, et al.			Oct. 13, 1995
	CK	5,717,934	Feb. 10, 1998	PITT, et al.			Oct. 28, 1994
	CL	5,652,893	Jul. 29, 1997	BEN-MEIR, et al.			Dec. 13, 1994

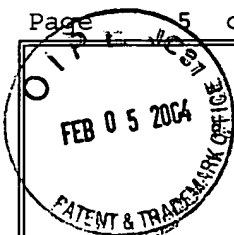
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	CM						

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CY

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CZ

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DA

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DB

Sentry Serial Power Tower (PTSS) © 2001/2002.

DC

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DD

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DE

Sentry Commander R-400 Remote Pwr. Mgr. Datasheet © 1999.

DF

Sentry Administrator R-450 © 2001/2002.

DG

Sentry Administrator R-450 Remote Pwr. Mgr. © 1998.

DH

Remote Power On/Off, Installation and Operations Manual, © 1991.

DI

Sentry Remote Power Manager brochure © 1991.

DJ

Power-On product wrapper © 1991.

DK

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DL

Intelligent Power Module © 1991.

DM

Local and Remote Power On/Off Alternatives © 1991.

DN

NEW BOX Specification, dated March 6, 1991.

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RPM-15 Power Module Specification, March 18, 1991.

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Sentry Remote Power Manager, Operational Instructions, Sep. 24, 1992.

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"Keeping Up With. . .", INTERNET TELEPHONY, Mar. 2000, pp. 84-87.

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"Rebooting Across the Net", PC Magazine, May 5, 1998.

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"Server Technology Sentry R-2000", PC Magazine, May 5, 1998.

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"APC MasterSwitch", PC Magazine, May 5, 1998.

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